



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
SALA *et al.*  
Appl. No.: 09/783,404  
Filed: February 15, 2001  
**For: Method, System And Computer  
Program Product For Scheduling  
Upstream Communications**

Confirmation No.: 4785  
Art Unit: 2616  
Examiner: Hoang, Thai D.  
Atty. Docket: 1875.0440002

**Second Supplemental Information Disclosure Statement**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed concurrently with the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

In accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patents cited on the attached IDS Forms are submitted.

A copy of the non-patent literature document NPL1 was submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in application no. 09/427,792, filed October 27, 1999 which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, a copy of this document is not attached. 37 C.F.R. § 1.98(d).

It is expected that the examiner will review the prosecution and cited art in the parent application no. 09/427,792, filed October 27, 1999 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Attorney for Applicants  
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Date: November 3, 2006

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Approved for use through 09/30/2006. OMB 0651-0031

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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	09/783,404
				Filing Date	February 15, 2001
				First Named Inventor	Dolors SALA
				Art Unit	2616
				Examiner Name	Hoang, Thai D.
Sheet	1	of	1	Attorney Docket Number	1875.0440002

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If Known)	MM-DD-YYYY		
	US1	4,534,024	08/1985	Maxemchuk et al.	
	US2	4,712,210	12/1987	Davis et al.	
	US3	5,341,374	08/1994	Lewen et al.	
	US4	5,421,030	05/1995	Baran	
	US5	5,425,027	06/1995	Baran	
	US6	5,469,495	11/1995	Beveridge	
	US7	5,515,379	05/1996	Crisler et al.	
	US8	5,539,449	05/1996	Blahut et al.	
	US9	5,570,355	10/1996	Dail et al.	
	US10	5,606,561	02/1997	Scheibel, Jr. et al.	
	US11	5,742,592	04/1998	Scholefield et al.	
	US12	5,756,280	05/1998	Soora et al.	
	US13	5,963,557	10/1999	Eng	
	US14	5,982,780	11/1999	Bohm et al.	
	US15	6,055,268	04/2000	Timm et al.	
	US16	6,185,224	02/2001	Limb et al.	
	US17	6,259,695	07/2001	Ofek	
	US18	6,580,730	06/2003	Loukianov	
	US19	6,804,251	10/2004	Limb et al.	
	US20				

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
	FP1				
	FP2				
	FP3				
	FP4				
	FP5				
	FP6				
	FP7				
	FP8				
	FP9				

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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO

**SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Sheet

1 of 1

**Complete if Known**

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<i>First Named Inventor</i>	Dolors SALA
<i>Art Unit</i>	2616
<i>Examiner Name</i>	Hoang, Thai D.
<i>Attorney Docket Number</i>	1875.0440002

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	John O. Limb and Dolors Sala, A Protocol for Efficient Transfer of Data over Hybrid Fiber/Coax Systems, article in IEEE/ACM Transactions on Networking, vol. 5, No. 6, pp. 872-881, Dec. 1997.	
	NPL2		
	NPL3		
	NPL4		
	NPL5		
	NPL6		
	NPL7		
	NPL8		
	NPL9		
	NPL10		

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Examiner Signature	Date Considered

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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